

INFORMATION BULLETIN

JOB TRAINING PARTNERSHIP ACT

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TO: SERVICE DELIVERY AREA ADMINISTRATORS
PRIVATE INDUSTRY COUNCIL CHAIRPERSONS
JTPD PROGRAM OPERATORS
EDD JOB SERVICE OFFICE MANAGERS
JTPD STAFF

SUBJECT: WIA YOUTH GUIDANCE

This information bulletin transmits the Department of Labor's Training and Employment Guidance Letter (TEGL) 3-99, Program Guidance For Implementation of Comprehensive Youth Services Under the Workforce Investment Act During the Summer of 2000, dated January 31, 2000.

The TEGL provides guidance on program design, participant transition, continuous quality improvement, follow-up services, leveraging of resources, and performance requirements.

If you have any questions, please contact your program manager, at (916) 654-7799.

/S/ BILL BURKE
Assistant Deputy Director

Attachment

*****FORMATTED FOR ELECTRONIC TRANSMISSION*****

U.S. Department of Labor Employment and Training Administration Washington, D.C. 20210	CLASSIFICATION
	WIA/Summer Program
	CORRESPONDENCE SYMBOL OYS
	DATE January 31, 2000

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 3-99

TO: ALL STATE WORKFORCE LIAISONS
ALL STATE WORKER ADJUSTMENT LIAISONS
ALL STATE WAGNER-PEYSER ADMINISTERING
AGENCIES
ALL ONE STOP CAREER-CENTER SYSTEM LEADS

FROM: Lenita Jacobs Simmons
Deputy Assistant Secretary

SUBJECT: Program Guidance For Implementation of Comprehensive Youth Services
Under the Workforce Investment Act During the Summer of 2000

1. **Purpose.** To provide guidance to States and local areas on how to transition their summer programs to align with WIA requirements by making summer youth employment opportunities part of a comprehensive strategy for youth development. This document also consolidates guidance transmitted through earlier Transition Questions and Answers.
2. **References.**
 - A. Title I of the Workforce Investment Act of 1998;
 - B. Interim Final WIA Regulations; 20 CFR Part 664, published at 64 Fed. Reg. 18662, 18713 (April 15, 1999)
 - C. WIA Transition Questions and Answers; <http://www.usworkforce.org>
 - D. Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)), as amended by the Minimum Wage Increase Act of 1996;
 - E. Employment Service Program Letter No. 2-99 (Nov. 5, 1998) Preauthorization of Work Opportunity Tax Credit Program and Authorization of the Tax Credit Program for the Welfare-to-Work Tax Credit; and

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F. Field Memorandum No. 52-99, Options for Submitting Plans for the Youth Activities Portion of the Strategic Five-Year Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act.

3. **Background.** The employment and training system is transitioning from the Job Training Partnership Act (JTPA) to the Workforce Investment Act (WIA). WIA substantially reforms youth programming and places new emphasis on serving youth within a comprehensive statewide workforce development system. Youth Councils will plan for the WIA comprehensive year-round system, the Act requires them to establish linkages with other organizations serving youth in the local area and to coordinate youth services. Services for youth under WIA shift to comprehensive services, with summer youth employment representing one of the ten required program elements that comprise a local area's year-round youth services strategy.

Summer 2000 represents the first summer youth programming conducted under WIA for all States and local areas and the first year since 1964 that a stand-alone summer youth program is not authorized or funded. Program operators under WIA are required to develop strategies for comprehensive programs based on principles such as preparation for post-secondary opportunities, linkages between academic and occupational learning, and connections to the local job market in their youth systems.

The Department recognizes the structural and programmatic challenges posed by transitioning from JTPA to WIA, as well as the decrease in funding to local areas as a result of the 15% set aside funds allocated to the States. This Guidance clarifies WIA requirements, provides information for implementing WIA requirements and identifies additional resources that may be available to local areas for this first summer under WIA.

4. **WIA Program Requirements.** The summer jobs program for youth has played a prominent role in communities across the country. WIA also recognizes the importance of the summer employment opportunities program element as it is included as one of the ten program elements required by the law.

JTPA provides a foundation to implement principles required by WIA. Both systems rely upon the development of an individual plan based on an objective assessment. Prior JTPA summer guidance has encouraged SDAs to provide academic enrichment, enhance basic educational skills, implement work-based learning and offer life skills training to youth they serve. The latest available data indicates that 67% of all summer participants under JTPA participated in a program that included academic enrichment activities. WIA expands upon and formalizes these successful youth development oriented components into a more complete youth development framework and system. Under WIA, comprehensive youth services consist of ten program elements which can be grouped around four major themes:

- improving educational achievement (including such elements as tutoring, study skills training, and instruction leading to secondary school completion; dropout prevention strategies, and alternative secondary school offerings);
- preparing for and succeeding in employment (including summer employment opportunities, paid and unpaid work experience, and occupational skills training);
- supporting youth (including meeting supportive services needs and providing adult mentoring, follow-up services, and comprehensive guidance and counseling); and
- offering services intended to develop the potential of youth as citizens and leaders (including leadership development opportunities).

5. **Transition of Participants.** As explained in the WIA transition Q & A's at www.usworkforce.org JTPA funds will become WIA funds on July 1, 2000 and JTPA will be officially repealed. Participants who are continuing services after June 30, 2000 must be grandfathered into WIA. This means that follow-up activities are required for these participants who will be included in performance measures under WIA (see #10 for guidance on how to transition from JTPA competencies to WIA performance measures). These participants can complete services specified in their individual service strategy (ISS), even if that service strategy is not allowable under WIA, or if the participant is not eligible to receive these services under WIA.

If services are completed prior to July 1, 2000, these participants will not be considered as WIA participants. Local areas are reminded that terminating participants on or before June 30th to avoid WIA requirements is not a productive alternative for youth who have not completed their ISS plan, because future services needed by such a participant likely will require re-enrollment under WIA. The choice to prematurely terminate services to a youth in need is contrary to the intent and goals of the legislation.

6. **Considerations for Program Design**

Continuum of Services

WIA's vision moves the workforce development system away from short term interventions by emphasizing the long term development of young people. This statutory principle does not authorize stand-alone summer programs as in the past and program planners should assess how services are organized for both in-school and out-of-school youth. Program design should reflect an age continuum of services that generally plans for the needs of youth aging through the program. However, flexibility is still needed since the needs of an individual youth may call for an ISS that deviates from the general guidelines established. Therefore, 14-15 year old youth should remain connected to the system through adolescence with the understanding that the relationship of the youth to the system will change as they age. This will be reflected in the intensity and method of delivery of services provided. This continuum of service might include a variety of the ten program elements required by the law.

The emphasis across the country upon increased academic standards serves as the context for building upon linkages with schools to extend and enhance learning opportunities as part of a year-round strategy to improve student achievement through work experience and occupational learning. This strategy could include coordination with existing school-to-work (STW) activities. For example, as youth become older, work readiness and employment may become the primary emphasis. Some communities have found that older youth can be placed in private sector summer employment connected to career interests, with Federal funds used to perform the "intermediary" or connecting activity function. For youth who begin their WIA supported services at 14 and 15 and continue services as they age, high school graduation can mark the beginning of follow-up services as local areas can focus upon building post-secondary educational and training linkages for these better prepared youth or assisting youth to take advantage of employer relationships built over the course of their schooling.

Approaches

As local areas implement summer employment activities as part of WIA, they may choose different approaches for operating summer youth employment activities. The following are viable approaches to summer employment activities under WIA:

- Summer employment activities participants are transitioned into a year-round service strategy. This emphasis upon year round services allows for substantial interventions in the lives of youth to attain meaningful goals of skill attainment, as well as post-secondary education, advanced training and job placement outcomes. Funding for these year-round activities may come from WIA or from WIA resources combined with resources from partner agencies.
- Local areas may elect to exit participants at the end of summer employment and begin follow-up activities. Again, this is not a stand alone summer program as follow-up involves continuing services to youth. Potential and appropriate follow-up activities are discussed in #8.
- Local areas may want to combine the first two approaches by continuing year-round services for some youth and exiting others at the conclusion of the summer. The amount of services needed for an individual youth is determined through assessment and the development of an ISS. It may be appropriate for some youth to participate in only summer employment opportunities and follow-up services. Youth who are basic skills deficient, as defined by the law, should continue to be served until they achieve basic skills.

Out-of-School Youth

Program design must include serving out-of-school youth (OSY). The law mandates that a minimum of 30% of WIA youth funds shall be used to provide youth activities to OSY. In the past, summer employment programs have received a sizable amount of separate youth workforce development dollars and have typically served in-school youth, particularly 14-15 year olds. Therefore, careful consideration must be given to the construction of a year round program that substantially engages OSY. One strategy is to increase the participation of

OSY in summer employment. OSY could participate in summer programming based upon a "work first" model that would include work readiness as a goal. This would allow OSY to earn needed income, acquire work experience and position themselves to receive additional and more advanced training. The emphasis upon work-based learning during summer employment may also serve to re-connect youth with education.

To improve the general recruitment of OSY, local areas may choose to conduct intake at their One-Stop Center. This provides an additional point of entry for youth to participate in summer employment and other WIA program elements and may increase the likelihood of enrolling OSY who no longer have ties to school networks. This strategy has the additional benefit of exposing youth and community members to the resources available at One-Stops. OSY may also enter the system as a result of coordination with the Employment Service, Housing Authorities or juvenile justice system.

Continuous Quality Improvement

Implementing WIA is a building process, and it is anticipated that quality will continuously be enhanced through the experience of running a comprehensive year round program and the evolution of experienced Youth Councils. Realistically, it is not expected that summer 2000 will look the same in subsequent years as models are developed to enact effective year round programs that include summer employment activities as one of the ten required elements. We will examine approaches developed and lessons learned from operating summer employment this year, as well as youth customer satisfaction feedback to further improve programming in the future. This information will be disseminated through the system to improve the quality of future summer programming.

7. **Linkages with Schools and School-to-Work.** Effective working relationships between local areas and the local school systems are crucial to achieving the goals of enriching the quality of the summer education component, and preserving educational gains made during the summer by providing year-round services to youth. States, local areas, and local school systems should view this year as a partnership building year and further develop productive working relationships to achieve their mutually shared objectives which include, the preparation of all youth for adulthood, successful careers, and lifelong learning. The movement to increase academic standards serves as a natural basis for coordination among local areas and local schools, since youth generally require summer academics to attain basic skills or achieve higher standards.

Local areas and local school systems should work together to assure that youth attain basic skills. In-school youth who are basic skills deficient and served through WIA funding should set and achieve a measurable basic skills attainment. STW resources and partnerships can serve as important links between local areas and local schools to improve student achievement. STW partnerships can help youth acquire critical workplace and education competencies. STW provides continuity between workforce development and education systems while strengthening the impact of both.

8. **Follow-up Services.** Follow-up services are emphasized as one of the ten required youth program elements. All youth participants must receive some form of follow-up services for a minimum duration of twelve months after exit from one of the ten program elements. As long as youth are receiving WIA or WIA partner services they are considered active participants. Therefore, exit and subsequently follow-up, may not occur for some in-school youth participants until after graduation from high school, (such as 14 and 15 year olds who are returning to school after the summer component). Follow-up services may be provided beyond twelve months at the State or Local Board's discretion. The types of follow-up services provided are determined based on the needs of the individual youth and the objectives set by the Local Board. Local areas have broad discretion in determining the intensity and type of follow-up services.

Given the significant changes required by WIA, it will take time to put in place a structure for each of the program elements and create a smoothly functioning system. Therefore, we expect that follow-up services will evolve over time. Summer 2000 participants enrolled in summer employment opportunities may be provided more limited follow-up services; however, the expectation is that as the system develops, so too will follow-up services.

For the vast majority of youth who have traditionally participated in summer employment activities, (i.e. in-school youth), the scope of these follow-up services may be less intensive or may consist primarily of school-based activities communicated to the local board. Examples of follow-up services which may be conducted include:

- job shadowing;
- a "Youth Day" career exploration activity organized at the One-Stop;
- periodic, scheduled group meetings or one-on-one meetings to discuss educational or career options;
- use of technology to explore websites and facilitate communication;
- periodic telephone calls to inform youth of on-going activities such as job fairs or other career activities; and
- adult mentoring and tutoring.

Depending upon frequency of services and the cooperative role of other agencies and local schools, these activities need not be resource intensive for the WIA funded entity.

Local areas may also consider leadership development activities as appropriate follow-up activities, provided it does not interfere with regular academic classes. These activities may be coordinated with local schools and include:

- exposure to post-secondary educational opportunities;
- community and service learning;
- peer-centered activities, including peer mentoring and tutoring;

- organizational and team work training, including team leadership training;
- training in decision-making, including determining priorities;
- citizenship training, including life skills training such as parenting, work behavior training, and budgeting of resources; and
- positive social behavior training including positive attitudinal development, self-esteem building, cultural diversity training, work simulation activities, as well as other soft skills training during school hours.

These activities may be provided by schools or other community organizations, with the local area providing the referral service, using administrative records or phone calls to the youth.

Local areas may also choose to consider supportive services and work related activities as follow-up activities for OSY served through summer activities and who exit at the end of the summer. Supportive services may include:

- linkages to community services;
- assistance with transportation costs;
- assistance with child care and dependant care costs;
- assistance with housing costs;
- referrals to medical services; and
- assistance with uniforms or other appropriate work attire and work-related tool costs, including such items as eye glasses and protective eye gear.

Work related follow up activities for OSY may include:

- regular contact with a youth participant's employer, including addressing work-related problems that arise;
- formation of job clubs to offer ongoing support and training;
- assistance in securing better paying jobs, career development and further education;
- work-related peer support groups; and
- tracking the progress of the youth's employment after training.

Expenses for such services would count as meeting part of the 30% OSY spending requirement.

9. **Leveraging Resources.** To sustain summer programming and identify adequate resources to build a year round comprehensive program local boards should leverage both financial and programmatic resources. Early information gathered from select local areas indicates that many areas are planning to serve significantly fewer youth through summer youth employment opportunities. Some local areas are anticipating a decrease in funding available for summer

employment opportunities as a result of the 15% state set aside of funds, an expansion of program elements required to fulfill WIA's promise to make available year round comprehensive services, and the requirement to serve 30% OSY. The Department encourages Governors to use the 15% set aside funds to increase funding for youth services in areas with high concentrations of eligible youth. In addition, the Department suggests the following potential resources:

Private Sector Summer Jobs Campaign. Many States and local areas seek opportunities to involve the private sector in cooperative and creative approaches to fund community-wide summer jobs programs. These efforts could be expanded upon and approached in a more systematic way. A private sector summer jobs campaign can provide considerable leverage for increasing enrollment levels during the summer, especially in the context of a strong economy. States and local areas are strongly encouraged to pursue establishing an effort of this nature to supplement youth opportunities under WIA funding.

Across the country private sector summer jobs initiatives are voluntarily undertaken by community coalitions to increase the number of jobs available for young people during the summer. Through these initiatives, private sector employers are encouraged to support summer jobs by hiring young people, making financial donations for job creation in the public sector or donating time and resources to further such efforts. Additional suggestions for employer involvement include: tutoring, mentoring, internships, job shadowing, and participation in events such as career exploration workshops and job fairs.

The Local Board and its Youth Council can play a major role in most private sector campaigns. The Local Board can serve as the coordinator of the planning group and provide office space and staff support. Business representative organizations, the Employment Service, community-based organizations, schools and local government agencies are also typically partners in this effort. Additionally, enlisting the active support of key local elected officials can significantly boost the success of a private sector summer jobs campaign.

Work Opportunity Tax Credit (WOTC) Program. All States and local areas are strongly encouraged to educate local business leaders about the potential for strengthening ties within the private sector through the WOTC program. This can result in creating unsubsidized summer job opportunities for economically disadvantaged youth. The WOTC is a Federal income tax incentive to encourage private-sector employers to hire eight targeted groups of job seekers with barriers to employment.

As stated in Employment Service Program Letter No. 2-99 (Nov. 5, 1998), for the employer to qualify for a tax credit under WOTC, a WIA summer youth employee must have attained age 16 but not 18 on the hiring date (or, if later, on May 1), reside in one of the 105 federally designated Empowerment Zones or Enterprise Communities, have never worked for the employer before, and perform services for the employer between

May 1 and September 15. Further, for the employer to qualify for the tax credit, the eligible employee must be employed for at least 20 days or 120 hours.

Employers must apply for and receive certification from their State employment agency that their new hire is a member of a WOTC target group before they can claim the tax credit on their Federal income tax return. State Employment Service Agencies (SESAS) are responsible for certifying new hires to qualify employers for the WOTC. For more information about this tax credit, SESA WOTC Coordinators and the U.S. Employment Services should be contacted. Also, the following website can be consulted: <http://www.doleta.gov/employer/wotc.htm>.

Department of Labor Resources

Adult WIA Funds. Older youth, ages 18-21, may be served with adult WIA funds, and therefore have access to Individual Training Accounts (ITAs) to receive advanced training. These youth can be either enrolled in the adult program or they can be co-enrolled in both programs as long as they receive services under both funding streams. For example, an 18 year old might receive work readiness training and mentoring services under youth services and receive occupational training via an ITA in the adult program.

Welfare to Work Funds.

OSY may now qualify for Welfare-to-Work funds (WtW) that would subsidize summer employment and/or fund other activities that fulfill WIA required elements. Congress recently expanded eligibility for the WtW program through passage of the Welfare-to-Work and Child Support Amendments of 1999. Beginning July 1, 2000 WtW eligibility requirements for the formula program have been changed to permit services to long-term Temporary Assistance to Needy Families (TANF) recipients or recipients with characteristics of long-term welfare dependency. This would include;

- noncustodial parents of children who receive or are eligible for benefits under TANF, Food Stamps, Medicaid, or Children's Health Insurance Program;
- 18-25 year olds who were in foster care under the responsibility of the state before they turned 18;
- and custodial parents with incomes below the poverty line.

Allowable services under the WtW program include, job readiness and placement (including subsidized employment), pre- and post-employment training, on-the-job training, work experience, and supportive services. WtW funding could provide considerable leverage for increasing enrollments in WIA youth programming, both in the summer and

year-round programs. Local programs should consult with local WtW providers for details on these changes.

Other Youth Funds. Youth could be served under competitive grant sources as a part of a year-round strategy. Funds such as Youth Opportunity Grants and Youth Offender Grants are potential resources. For additional information on these programs see the DOL youth website: <http://www.yomovement.org>.

Other Federal Resources

Health and Human Services (HHS). TANF resources have also been made available to some States and local areas for youth wage subsidy programming or support services. The accessibility of these funds will vary based on the decisions of State and local welfare agencies, however WIA program representatives are encouraged to determine whether this option for increasing youth enrollments in their own program might be viable. Subsidized employment is an allowable activity in the TANF program, with some restrictions, and such activities could be made available to youth living in families who are recipients of TANF funding. Typically a high percentage of the youth served by the JTPA summer youth programming also qualified as youth from TANF families. HHS has a website with additional information on TANF, as well as a list of the State contacts for Human Services, who could direct a local inquiry. The website address for this information is <http://www.acf.dhhs.gov/programs/ofa>.

The Community Services Block Grant (CSBG) is another HHS program that is mentioned for partnering in the WIA legislation.

The Department of Housing and Urban Development (HUD). HUD administers Community Development Block Grants (CDBG), YouthBuild Grants, and Enterprise Communities/Empowerment Zones, as well as training funds through the Public Housing Authorities, (like the Jobs Plus program). While CDBG funds may be limited, or budgeted for the current year, it is a resource that should be explored for comprehensive youth programming.

Department of Agriculture (USDA). Land Grant University and County Extension Services may provide additional resources for a variety of youth programming.

Youth Councils. The development of strong Youth Councils will focus local area resources. The Department recognizes that in many areas, Youth Councils are still in development or newly formed. Those communities still forming Youth Councils, will want to think strategically about the commitments, both monetary and programmatic, a potential member can bring to the table.

It is particularly important that Youth Councils forge strong relationships with local schools. In order to best serve youth who are deficient in basic literacy skills, local areas and local schools should work together. Connecting with local schools will leverage key resources that will assist local areas to improve the skill attainment of participating youth while achieving performance outcomes.

By law, Youth Council membership includes expertise and broad representation among entities that serve youth. This creates a strong advocacy group for youth to carry out strategic planning and resource leveraging. It is appropriate for Youth Councils to decide how summer employment activities fit within a comprehensive youth development system, the number and ages of youth who should participate and how these activities can be funded through a combination of public and private resources. As Youth Councils are charged with the task of coordinating youth activities and, with the approval of the local board, recommending eligible youth providers, they should be able to streamline services in a way that eliminates duplication and identifies additional resources.

10. **WIA Performance Requirements.** Unlike the performance measurement system under the Job Training Partnership Act (JTPA) where the summer youth program participants were not included in measuring JTPA youth outcomes, all WIA youth will be measured as part of a comprehensive youth program assessed by the core performance measures for youth.

There are seven core performance measures for youth, four apply to youth 19-21 years old (older youth) and the other three apply to youth 14-18 (younger youth). The attachment discusses each of these measures and their definitions.

It should be noted that performance measurement guidelines are still undergoing development and review, and should not be construed as final. The subsequent discussion of performance requirements is likely to generate questions regarding reporting. Guidance regarding reporting requirements is under development and will be issued at a later date.

How Summer Youth Activities fit into Performance Measurement for Younger Youth

The majority of youth who have participated in the summer program in the past have been between the ages of 14-17. These participants would fall under the three younger youth measures; the skill attainment rate, the diploma/equivalency measure and the retention rate.

Skill Attainment. The skill attainment rate is measured while a participant is enrolled in the program and must be assessed within one year of the skill attainment goal being set. Within the skill attainment rate, three types of skills are being assessed within this one measure: basic skills, work readiness skills, and/or occupational skills. All younger youth who are determined basic skills deficient (defined as an individual who has English reading, writing, or computing skills at or below the 8th grade level on a

generally accepted standardized test or a comparable score on a criterion-referenced test) must have a basic skills goal.

Diploma/Equivalency and the Retention Measure. The diploma/equivalency and the retention measure are outcome measures that are assessed when a youth exits the program (see Attachment for definition of exit). Youth are automatically included in the computation of these two measures upon exit. However, younger youth are excluded from the diploma/equivalency and the retention measure computations if they remain in secondary school.

Implications of Performance Measures for Younger Youth. Because solid basic skills are critical to a youths' continued learning and eventual success in the workplace, it is also in the interest of the local board to continue serving youth all year long, until they either meet their skill attainment goal or other measure. This is especially true of those youth who are basic skills deficient as it is highly unlikely that such a youth would be able to attain the necessary skills to overcome skills deficiency during the short period of the summer. OSY who participate in summer employment activities and do not have a credential or job placement should also continue year-round services.

How Summer Youth Activities fit into Performance Measurement for Older Youth

All older youth are included in the four older youth measures: entered employment, retention, earnings change and credential attainment with exceptions in certain circumstances (see attachment for further discussion). All four of these measures are outcome measures assessed following exit. Older youth who participate in the summer portion of the youth program and exit will be held to the same rules for any other older youth who exits the program. Therefore, it is in the interest of local areas to enroll older youth who participate in summer youth employment opportunities into year-round services if the youth do not have a credential and/or job placement.

Youth who transition from JTPA to WIA

All JTPA youth who are still enrolled will transition into WIA on July 1 and will be included in the WIA youth performance measures. This part of the Guidance applies to those in-school youth who were enrolled in JTPA and transition into WIA.

For those participants who return to school after participating in summer employment opportunities, only the younger youth skill attainment rate is applicable. Service providers may assess youth enrolling in JTPA Title II-B in the spring of 2000 as if they were WIA participants, in anticipation of them becoming WIA participants on July 1. This means determining basic skills needs and setting skill attainment goals for these youth as required by WIA.

Alternatively, Youth competencies established under JTPA may be converted into skill attainment goals. There is no need to reassess participants unless the youth never received a determination of basic skills level in order to determine whether or not they are basic skills deficient and will require a basic skills goal.

Examples of how to convert youth competencies into skill attainment goals include the following: basic education skills under youth competencies would be the equivalent of a basic skills goal under skill attainments, pre-employment skills and work maturity skills under youth competencies would be the equivalent of a work readiness skills goal under skill attainments, and job-specific skills under youth competencies would be the equivalent of an occupational skills goal under skill attainments.

11. **Job Safety and Health.** The Department encourages States to provide local areas with training and/or written materials on workplace safety rules and regulations. Local areas should share safety information with work site supervisors before youth are placed at designated work sites. States and local areas are also reminded to review Federal, State and local safety standards and child labor restrictions. This will help to ensure that participants are not assigned to job activities which violate the standards and/or restrictions. For additional information consult the following websites:

For applicable laws from your State:

<http://www.dol.gov/dol/esa/public/programs/whd/state/>

For guidance regarding safety/health and rights on the job:

<http://www.dol.gov/dol/esa/public/summer/bor.pdf>

<http://www.cdc.gov/niosh/adoldoc.html>

12. **Minimum Wage.** The provisions under the amendments to the Fair Labor Standards Act (FLSA), which resulted from the Minimum Wage Increase Act of 1996, apply to all participants enrolled in programs operated under WIA. Individuals employed in activities authorized under the Act must be paid at least \$5.15 an hour.
13. **Action.** States should: (a) transmit this guidance to local areas as expeditiously as possible; and (b) instruct local areas to quickly provide relevant guidance to work sites and service providers. Additionally, States are encouraged to: (a) provide technical assistance to local areas by disseminating best practices; and (b) advise local areas of their plans regarding the use of set aside funds as soon as possible to assist local areas in their planning.
14. **Inquiries.** Questions on this TEGL should be directed to your Regional Office.

Performance Measures Attachment

NOTE: These performance measurement guidelines are still undergoing development and review and should not be construed as final.

WIA Performance Requirements

Under WIA there are seven required core performance measures for youth. Four of these measures apply to older youth (ages 19 - 21): entered employment, retention in employment, earnings change, and credential attainment rate. The other three measures apply to younger youth (ages of 14-18): skill attainment rate, diploma and equivalent attainment rate, and retention rate (refers to retention in employment, post-secondary education, military, qualified apprenticeship, or advanced training). The core performance measures for youth have been defined to reflect the comprehensive services, linkages between summer activities to academic and occupational learning, flexibility of program design, and continuum of services that are called for under the WIA.

Older Youth (age 19-21) Core Performance Measures

Older Youth Entered Employment Rate

Of those who are not employed at registration and do not move on to post-secondary education or advanced training: Number of older youth who have entered employment by the end of the first quarter after exit divided by the number of older youth who exit during the quarter;

Older Youth Employment Retention Rate at Six Months

Of those who are employed at registration or in the first quarter after exit and who do not move on to post-secondary education or advanced training: Number of older youth who are employed in third quarter after exit divided by the number of older youth who exit during the quarter;

Older Youth Average Earnings Change in Six Months

Of those who are employed at registration or in the first quarter after exit and who do not move on to post-secondary education or advanced training: Total post-program earnings (earnings in quarter 2 + quarter 3 after exit) minus pre-program earnings (earnings in quarter 2 + quarter 3 prior to registration) divided by the number of older youth who exit during the quarter;

Older Youth Employment and Credential Rate

Number of older youth who are in employment or post-secondary education or advanced training by the end of the first quarter after exit and received a credential by the end of the third quarter after exit divided by the number of older youth who exited during the quarter.

Younger Youth (age 14-18) Core Performance Measures

Skill Attainment Rate

Total number of basic skills goals attained by younger youth plus number of work readiness skills goals attained by younger youth plus number of occupational skills goals attained by younger youth divided by the total number of basic skills goals plus the number of work readiness skills plus the number of occupational skills goals;

Diploma or Equivalency Attainment Rate

Of those who register without a diploma or equivalent: Number of younger youth who attained secondary school diploma or equivalent during the quarter divided by the number of younger youth who did not attain a diploma or equivalent and who exited during the quarter (except those still in secondary school) plus younger youth who have attained a diploma or equivalent during the quarter;

Retention Rate

Number of younger youth found in one of the following in the third quarter following exit: post secondary education, advanced training, employment, military service, or qualified apprenticeships divided by the number of younger youth who exited during the quarter (except those still in secondary school).

How to Determine Appropriate Youth Measures for Youth

Since there are two sets of measures within the youth funding stream, the following rule applies for those served by the youth funding stream: a youth must be included in the set of measures that applies based on their age at registration (i.e. if a youth is between the ages of 14 and 18 at registration, they will be included in the younger youth measures and a youth between the ages of 19-21 at registration will be included in the older youth measures) regardless of how old the participant is at exit.

Linkages to Partner Services

To encourage integration of services across programs (WIA Title I funded and non-WIA Title I funded) and recognize shared contributions toward outcomes, the following strategy for tracking and reporting on the core measures across programs will be used. WIA Title I funded youth programs can count participants who receive services provided by non-WIA Title I funded school-to-work (i.e., schools) and one-stop partner programs in the WIA core measures as long as the individual has been registered for WIA Title I youth services (all individuals receiving youth services will be registered) and:

- a) is concurrently receiving WIA Title I funded youth services while receiving partner services;
- b) is scheduled to receive WIA Title I funded youth services at a future date while receiving partner services or upon exit of the partner services; or
- c) moves to partner services, and can be tracked while receiving and upon exit of partner services.

Tracking youth across WIA Title I and non-WIA Title I programs can be more effectively implemented in communities with strong school-to-work partnerships linking schools to workforce investment services.

When to Count Outcomes

All of the core measures for youth are assessed at the time a youth exits except the younger youth skill attainment rate. For that measure, positive outcomes are recorded as they occur. The youth has one year from the anniversary of the date the goal was set to achieve the goal.

For the exit based measures, outcomes are determined when the individual leaves the program (i.e. exit). The Department developed a definition of "exiter" to determine when to count an individual in a specified reporting period.

Exiter is defined as: a customer who has an inactivation or termination date within the quarter (hard exit date) or who does not receive any WIA-funded or non-WIA funded partner service for 90 days and is not scheduled for future services except follow-up services (soft exit date). Participants may have a gap in service greater than 90 days and be excluded from the core measures due to health/medical conditions and delays before training begins. Once a participant has not received any WIA service for 90 days except follow-up services and there are no future services scheduled (or there is no planned gap in service), then that participant has exited WIA for the purposes of measurement in the exit based measures.

Setting Appropriate Goal(s)

Within the skill attainment rate, three types of skills are being assessed within this one measure: basic skills, work readiness skills, and/or occupational skills. All younger youth who are determined basic skills deficient (defined as an individual who has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test or a comparable score on a criterion-referenced test) must have a basic skills goal that will be held accountable to in the skill attainment rate. In addition to that basic skills goal, the participant may also have a work readiness goal and/or an occupational skills goal. If the participant is not basic skills deficient and therefore does not have a basic skills goal, the individual must have a work readiness and/or an occupational skills goal if they are an in-school youth. If the participant is an out of school youth (not in need of basic skills), it is a local option whether or not a work readiness skills goal and/or an occupational skills goal is necessary. In the example of a younger youth who only participates in the summer activity, exits, and returns to secondary school following the summer activity, if that participant is not deemed to be basic skills deficient, then a work readiness skills goal would be most appropriate for that youth. This work readiness skills goal could be tied to their summer youth experience in order to make it feasible to attain such a goal. If the participant is basic skills deficient, they must have a basic skills goal and it would be more appropriate to continue serving such a participant beyond their summer experience.

Timing of Skill Attainment Measure

For those youth who will have skill attainment goals (see discussion above), at least one goal must be set upon initial assessment of the participant. Once a goal is set, the participant has up to one year to achieve each goal set. Attainment of a goal is counted as it is achieved (i.e. goal attainment counted in the quarter in which the goal was achieved). If the goal is not achieved by the one year anniversary of the dates the goal was set, the failure is counted in the quarter of the anniversary date. New goals may be set as initial goals are achieved; however, each participant is allowed only three goal attainments each year. Participants may have any combination of the three types of skill goals (three skill goals in the same category, two skill goals in one category and one skill goal in another, or one skill goal in each category, etc.).